

10/27/66

6. APPLICATION FOR LEASE OF UNGRAVATED SOVEREIGN LAND IN STEAMBOAT SLOUGH WITHIN THE CITY OF ALVISO; COUNTY OF SANTA CLARA - W.O. 6312, P.R.C. 3628.9.

After consideration of Calendar Item 14 attached, and upon motion duly made and carried, the following resolution was adopted:

THE EXECUTIVE OFFICER IS AUTHORIZED TO ISSUE TO THE COUNTY OF SANTA CLARA A 15-YEAR LEASE, WITH LESSEE'S RIGHT TO RENEW FOR THREE ADDITIONAL PERIODS OF 10 YEARS EACH UPON SUCH REASONABLE TERMS AND CONDITIONS AS THE STATE MIGHT IMPOSE; WITH THE CONSIDERATION TO BE THE PUBLIC USE AND BENEFIT FOR SO LONG AS THE PUBLIC IS ALLOWED FREE ACCESS, BUT AT A RENTAL AS COMPUTED ACCORDING TO COMMISSION POLICY THEN IN EFFECT SHOULD A FEE EVER BE CHARGED FOR PUBLIC USE; FOR THE CONSTRUCTION, OPERATION AND PROPER MAINTENANCE OF A VEHICULAR PARKING FACILITY ON THE FOLLOWING-DESCRIBED LAND:

A PARCEL OF LAND IN THE BED OF STEAMBOAT SLOUGH SITUATE IN THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE NORTHERLY EXTENSION OF THE EASTERLY LINE OF HOPE STREET 360.00 FEET NORTH OF THE NORTHERLY LINE OF ELIZABETH STREET, SAID POINT OF BEGINNING BEING ALSO THE NORTHERLY TERMINUS OF A COURSE SHOWN AS NORTH 82° 35' 30" WEST 215.00 FEET AND IN THE SOUTHERLY LINE OF THE STATE OF CALIFORNIA TIDELANDS LYING WITHIN STEAMBOAT SLOUGH AS SHOWN ON THAT CERTAIN AMENDED RECORD OF SURVEY RECORDED JULY 18, 1963, IN BOOK 163 OF MAPS AT PAGE 19, SANTA CLARA COUNTY RECORDS; THENCE ALONG THE SOUTHERLY BOUNDARY OF SAID STATE TIDELANDS WEST 423.13 FEET AND NORTH 54° 12' 54" WEST 132.09 FEET; THENCE LEAVING SAID SOUTHERLY BOUNDARY AND CROSSING STEAMBOAT SLOUGH NORTH 14° 09' 20" EAST 77.66 FEET TO A POINT IN THE NORTHERLY BOUNDARY OF AFORESAID STATE TIDELANDS; THENCE CONTINUING ALONG SAID NORTHERLY BOUNDARY SOUTH 62° 30' 43" EAST 166.59 FEET, SOUTH 88° 30' 43" EAST 378.90 FEET, AND SOUTH 73° 57' 13" EAST 30.46 FEET; THENCE LEAVING SAID NORTHERLY BOUNDARY OF THE STATE OF CALIFORNIA TIDELANDS SOUTH 61° 30' WEST 50.67 FEET TO A POINT IN THE NORTHERLY EXTENSION OF THE EASTERLY LINE OF HOPE STREET FROM WHICH THE POINT OF BEGINNING OF THIS DESCRIPTION BEARS SOUTH 33.21 FEET; THENCE SOUTH 33.21 FEET TO THE POINT OF BEGINNING, CONTAINING 0.952 ACRE MORE OR LESS.

EXCEPTING THEREFROM THE FOLLOWING-DESCRIBED PARCEL OF LAND:

BEGINNING AT A POINT WHICH BEARS WEST 30 FEET FROM THE POINT OF BEGINNING OF THE ABOVE DESCRIPTION; THENCE WEST ALONG THE SOUTHERLY BOUNDARY OF STATE TIDELANDS 70 FEET; THENCE LEAVING THE SOUTHERLY BOUNDARY AND PROCEEDING NORTH 68.81 FEET TO THE NORTHERLY BOUNDARY OF SAID STATE TIDELANDS; THENCE ALONG SAID NORTHERLY BOUNDARY N. 88° 30' 43" E. 70.02 FEET; THENCE LEAVING SAID BOUNDARY AND PROCEEDING SOUTH ACROSS STATE TIDELANDS 67.00 FEET TO THE TRUE POINT OF BEGINNING; CONTAINING 0.019 ACRE MORE OR LESS.

THE NET AREA DESCRIBED HEREIN IS .843 ACRE MORE OR LESS.

Attachment

Calendar Item 14 (2 pages)

14.

APPLICATION FOR LEASE OF UNGRANTED SOVEREIGN LAND IN STEAMBOAT SLOUGH WITHIN THE CITY OF ALVISO; COUNTY OF SANTA CLARA - W.O. 6312.

The County of Santa Clara has applied to lease a parcel of sovereign land in the natural bed of Steamboat Slough in Alviso (see Exhibit "A" for location) for use in connection with the operation of a County-owned small-boat marina.

The land is contiguous to a road easement authorized by the Commission on September 26, 1966, and is also covered by a dredging permit.

The marina development has been approved by the San Francisco Bay Conservation and Development Commission, and by the U. S. Army Corps of Engineers. A grant will be authorized by the State Division of Small Craft Harbors for the construction of a public launching ramp as part of the facility. The grant is conditional in that the County shall not charge for use of the ramp for a period of 20 years.

The land covered by subject lease will be used for public parking, with the lease to provide that as long as it is so used and while no charge is made to the public for parking, there shall be no rental and the consideration will be the public use and benefit. If the land is to be used for any other purpose or a fee is to be charged, the County must obtain the prior consent of the Commission, and rental will be charged according to the Commission's policy in effect at the time.

The initial lease term will be 15 years, with lessee's right to renew for three additional 10-year periods upon such reasonable terms and conditions as the State might impose.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE EXECUTIVE OFFICER TO ISSUE TO THE COUNTY OF SANTA CLARA A 15-YEAR LEASE, WITH LESSEE'S RIGHT TO RENEW FOR THREE ADDITIONAL PERIODS OF 10 YEARS EACH UPON SUCH REASONABLE TERMS AND CONDITIONS AS THE STATE MIGHT IMPOSE; WITH THE CONSIDERATION TO BE THE PUBLIC USE AND BENEFIT FOR SO LONG AS THE PUBLIC IS ALLOWED FREE ACCESS, BUT AT A RENTAL AS COMPUTED ACCORDING TO COMMISSION POLICY THEN IN EFFECT SHOULD A FEE EVER BE CHARGED FOR PUBLIC USE; FOR THE CONSTRUCTION, OPERATION AND PROPER MAINTENANCE OF A VEHICULAR PARKING FACILITY ON THE FOLLOWING-DESCRIBED LAND:

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CALENDAR ITEM 14. (CONTD.)

TIDELANDS WEST 423.13 FEET AND NORTH 54° 12' 54" WEST 132.09 FEET; THENCE LEAVING SAID SOUTHERLY BOUNDARY AND CROSSING STEAMBOAT SLOUGH NORTH 14° 09' 20" EAST 77.66 FEET TO A POINT IN THE NORTHERLY BOUNDARY OF AFORESAID STATE TIDELANDS; THENCE CONTINUING ALONG SAID NORTHERLY BOUNDARY SOUTH 62° 30' 43" EAST 166.59 FEET, SOUTH 88° 30' 43" EAST 378.90 FEET, AND SOUTH 73° 57' 13" EAST 30.46 FEET; THENCE LEAVING SAID NORTHERLY BOUNDARY OF THE STATE OF CALIFORNIA TIDELANDS SOUTH 61° 30' WEST 50.67 FEET TO A POINT IN THE NORTHERLY EXTENSION OF THE EASTERLY LINE OF HOPE STREET FROM WHICH THE POINT OF BEGINNING OF THIS DESCRIPTION BEARS SOUTH 33.21 FEET; THENCE SOUTH 33.21 FEET TO THE POINT OF BEGINNING, CONTAINING 0.952 ACRE MORE OR LESS.

EXCEPTING THEREFROM THE FOLLOWING-DESCRIBED PARCEL OF LAND:

BEGINNING AT A POINT WHICH BEARS WEST 30 FEET FROM THE POINT OF BEGINNING OF THE ABOVE DESCRIPTION; THENCE WEST ALONG THE SOUTHERLY BOUNDARY OF STATE TIDELANDS 70 FEET; THENCE LEAVING THE SOUTHERLY BOUNDARY AND PROCEEDING NORTH 68.81 FEET TO THE NORTHERLY BOUNDARY OF SAID STATE TIDELANDS; THENCE ALONG SAID NORTHERLY BOUNDARY S. 88° 30' 43" E. 70.02 FEET; THENCE LEAVING SAID BOUNDARY AND PROCEEDING SOUTH ACROSS STATE TIDELANDS 67.00 FEET TO THE TRUE POINT OF BEGINNING; CONTAINING 0.109 ACRE MORE OR LESS.

THE NET AREA DESCRIBED HEREIN IS .843 ACRE MORE OR LESS.